

UNITED STATES DISTRICT COURT

Jury demand date: 3-29-68 by plaintiff.

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>Geo. H. McFadden & Bro., Incorporated</p> <p>vs.</p> <p>Home-Stake Production Company, an Oklahoma Corporation, Robert S. Trippet, and Republic Supply Co., a Delaware Corp.</p>		<p>For plaintiff:</p> <p>Richard T. Sonberg ²⁴³²¹³¹ Houston, Klein & Davidson 900 Home Federal Building 404 South Boston Tulsa, Oklahoma 74103</p>					
		<p>For defendant:</p> <p>Pat Malloy 813 Midstates Bldg. ²⁰³ Tulsa 74103 Thurston National Thomas Landrith, Jr. ²⁰³ Midstates Bldg. ²⁰³ Tulsa Thurston Natl. Bg. Tulsa, Oklahoma 74103</p> <p>R. James Unruh (Republic Sy) 604 Natl Bank of Tulsa Bldg. Tulsa, Oklahoma 74103</p> <p>James Metzger, P. O. Box 1995 Oklahoma City, Okla. 73101</p> <p>McElroy & Sanders 624 South Denver, Tulsa, Okla. 74103</p>					
STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 3-1-68	Clerk			2-9-68	H, K & D	15 00	
				2-15-68	CD 35		15 00
J.S. 6 mailed 3-1-69	Marshal						
Basis of Action: Damages for alleged violation of the Securities Act of 1933.	Docket fee						
	Witness fees						
Action arose at: Tulsa	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-9-68	Complaint filed and summons issued. w	
2-13-68	Return on service of summons, filed. Served Home-Stake Production Company by serving Robert S. Trippett, President, at Tulsa, Oklahoma, on 2-12-68. Served Robert S. Trippet personally at Tulsa, Oklahoma, on 2-12-68. (\$6.00) ds	
2-23-68	Answer of Home-Stake Production Company and Robert S. Trippet, filed. h	
2-29-68	Return on service of summons filed. Served Republic Supply Co. by serving its service agent The Corporation Company, at Oklahoma City, on 2-19-68. (\$4.00) ds	
3-8-68	Plaintiff's first set of interrogatories to defendant Home-Stake Production Company, filed. b	
3-11-68	Answer of Republic Supply Company filed. h	
3-18-68	Objection of defendant Home-Stake Production Company to certain (29, 30, 31, 32, 33, 34 and 35) interrogatories and request for hearing thereon, filed. b	
3-18-68	Defendant Home-Stake Production Company's memorandum brief on objection to specific interrogatories, filed. b	
3-19-68	Ordered by the Court that the plaintiff and co-defendants of Home-Stake Production Company respond to the defendant, Home-Stake Production Company's objections to interrogatories Nos. 29 to 36 inclusive submitted by plaintiff, with brief, within 10 days. (Fred Daugherty - Judge) b	
3-26-68	Memorandum brief by plaintiff in response to objection to interrogatories by defendant Home-Stake Production Company, filed. w <i>mailed 3-26</i>	
3-28-68	Defendant Home-Stake Production Co.'s Request for additional time in which to answer interrogatories, filed. w	
3-28-68	Order granting additional time in which to answer interrogatories to defendant Home-Stake Production Co. until 4-12-68, filed. (FD-J) w	
3-28-68	Order filed, that the objection of defendant Home-Stake Production Company to interrogatories 29 to 35 incl., and request for hearing thereon are overruled and the defendant Home-Stake Production Company is granted 15 days from date within which to answer such interrogatories. (Fred Daugherty - Judge) b	
3-29-68	Demand for jury trial filed by plaintiff. h	
3-29-68	Notice of depositions upon John Burris filed. h	
4-18-68	Answer of Home-Stake Production Company to plaintiff's first set of interrogatories, filed. b	
6-4-68	Motion To Require Compliance With Discovery Procedures. Filed js <i>mailed 6-4</i>	
6-4-68	Memorandum Brief By Plaintiff. Filed js <i>mailed 6-4</i>	
6-10-68	Supplemental answer of Home-Stake production company to plaintiff's first set of interrogatories, filed. ds	
6-12-68	Ordered by the Court that the plaintiff is permitted to withdraw its motion to require compliance with discovery procedures and brief for the reason it has been complied with. (Fred Daugherty - Judge) b	
7-17-68	First set of interrogatories to plaintiff by defendants, Home-Stake Production Company and Robert S. Trippet, filed. (letter mailed) b	
7-17-68	Motion of defendants, Home-Stake Production Company and Robert S. Trippet for production of documents, filed. b	
7-17-68	Memorandum brief on defendant, Home-Stake Production Company and Robert S. Trippet's motion to require plaintiff to produce documents, filed. b <i>mailed</i>	
7-19-68	Ordered by the Court that the plaintiff produce the documents for inspection and copying at a time and place agreed upon by the parties within 15 days from date or within said period of time file a response, with brief to the defendants, Home-Stake Production Company and Robert S. Trippett's motion for production of documents. (Fred Daugherty-Judge) b	

mail file if necessary

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
7-26-68	Plaintiff's Objections to first set of Interrogatories, filed. js	
7-26-68	Memorandum brief by plaintiff supporting objections to interrogatories and in opposition to defendants' motion to produce documents, filed. b	
7-26-68	Motion by plaintiff to require defendants to produce documents, filed.	
7-31-68	Memorandum brief by plaintiff in support of motion to produce documents, filed. b	
7-30-68	Motion by plaintiff for extension of time to answer interrogatories, filed. b	
7-31-68	Order filed, plaintiff granted 30 days from and after 8-1-68 in which to file answers to first set of interrogatories served by defendant, Home-Stake Production Company and Robert S. Trippet. (Fred Daugherty-Judge) copies mailed	
8-1-68	Ordered that case is set for pre-trial on Fri., Aug. 9, 1968, at 10:00 a.m. (FD-J)w	
8-2-68	Answer brief of defendants Home-Stake Production Company and Robert S. Trippet to memorandum brief by plaintiff supporting objections to interrogatories and in opposition to defendants' motion to produce documents, filed. b <i>mailed</i>	
8-2-68	Motion of defendants Home-Stake Production Company and Robert S. Trippet and objections to plaintiff's motion to require defendants to produce documents, filed. b <i>mailed</i>	
8-2-68	Memorandum brief of defendants Home-Stake Production Company and Robert S. Trippet in support of their motion and objections to plaintiff's motion to require defendants to produce documents, filed. b <i>mailed</i>	
8-7-68	Objection of the defendant Republic Supply Company to plaintiff's motion to require defendants to produce documents, filed. b	
8-7-68	Memorandum brief of defendant, Republic Supply Company in support of its objections to plaintiff's motion to require defendant to produce documents, filed. b	
8-9-68	Motion for summary judgment of defendant, Republic Supply Co., filed. ds	
8-9-68	Republic Supply Company's brief on motion for summary judgment, filed. ds	
8-9-68	Pre-trial hearing held, Ordered by the Court that the plaintiff respond to motion for S/J of Republic Supply, and Home-Stake Production to reply to said motion for S/J within 30 days. Plaintiff permitted to file motion to convert this civil action to a class action and brief in open Court and case to be set for further pre-trial. (Fred Daugherty-Judge) b	
9-4-68	Order that motion of defendants Home-Stake and Trippet to require plaintiff to produce documents and motion of plaintiff to require defendants to produce documents is sustained in part and overruled in part, filed. (FD-J)w (Pltf's obj. to interrogatories, overruled-FD-J) <i>filed 7-26-68</i>	
9-5-68	Answers to First set of Interrogatories of defendants Home-Stake Production Company and Roberts S. Trippet by Plaintiff Corporation filed. h	
9-6-68	Memorandum brief by defendants Home-stake production Co. and Robert S. Trippet in opposition to plaintiff's motion to create class action, filed. ds <i>delivered file</i>	
9-10-68	Affidavit of Robert S. Trippet in support of memorandum brief by defendants Home-Stake Production Company and Robert S. Trippet in opposition to plaintiff's motion to create class action, filed. b	
9-26-68	Memorandum brief of defendant, Republic Supply Co., in opposition to plaintiff's motion to create class action, filed. w <i>mailed</i>	
10-3-68	Affidavit No. 1 of Robert S. Trippet, filed. js <i>mailed</i>	
10-3-68	Motion of Defendants Home-Stake Production Co. & Robert S. Trippet for Summary Judgment, filed. js <i>mailed</i>	
10-3-68	Brief of Defendants Home-Stake Production Co. & Robert S. Trippet in Support of Motion For Summary Judgment, filed. js <i>mailed</i>	
10-3-68	Reply Brief of Plaintiff on Motion For Summary Judgment. By Republic Supply Company, filed. js <i>mailed</i>	
10-8-68	Supplemental Brief By Plaintiff In Support of Motion To Create Class Action	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-3-68	Supplemental Brief By Plaintiff in Support of Motion To Create Class Action and Reply To Memorandum Brief By Deft. Home-Stake Production Co. and Robert S. Trippet, filed. js <i>mailed</i>	Action
10-18-68	Plaintiff's answer brief in opposition to motion for Summary judgment by defendants Home-Stake Production Company and Robert S. Trippet filed. h	
10-18-68	Additional Answers by Plaintiff to first set of Interrogatories of Defendants Home-Stake Production Company and Robert S. Trippet filed.h	
10-30-68	Answer to Interrogatory No. 50 in First set of Interrogatories to plaintiff by defendants Home-Stake Production Company, and Robert S. Trippet, filed. ds	
11-1-68	Reply brief of defendants Home-Stake Production Company and Robert S. Trippet in connection with motion for summary judgment, filed. m	<i>October 18</i>
11-1-68	Reply brief of Republic Supply Company in response to Brief of Plaintiff in opposition to Republic Supply Company's motion for Summary Judgment filed.h	<i>mailed</i>
11-1-68	Plaintiff's second set of interrogatories to defendant Home-Stake Production Company, filed. m	
11-6-68	Supplemental brief by plaintiff in connection with motion for summary judgment by defendants Home-Stake and Trippet, filed. m <i>mailed</i>	
11-14-68	Defendant Home-Stake Production Company and Robert S. Trippet's request for admissions, filed. ds	
11-21-68	Motion motion for additional time in which to answer plaintiff's second set of Interrogatories filed. h	
11-21-68	Order filed that defendants Home-Stake Prod. Co. and Robt. S. Trippet and each of them are granted 10 additional day from 11-19-68 in which to answer plaintiff's Second Set of Interrogatories.(FD-J)h	
11-22-68	Response by plaintiff corporation to request for admissions by defendants Home-Stake Production Company and Robert S. Trippet, filed. m	
12-30-68	Order filed that motions for summary judgment of deft. Republic Supply Company and of defts. Home-Stake Production Company and Robert S. Trippet are each denied. (FD-J)m (copies mailed attorneys)	
12-31-68	Order that plaintiff file within 15 days a form of notice which complies with Tule 23 (c) (2) provisions to be sent to other participants in the Home-Stake 1960 and 1961 Programs who are presently holders sof interest, and defendants are directed to file only a list showing names and addresses of such persons. Clerk to file list in a sealed envelop, to be opened upon order of Court. If defendants object, their objections should be filed within 25 days and may submit a form of notice. Plaintiff's Motion of Convert this Action to a Class Action is granted, subject to compliance with this order, filed. (FD-J) copies mailed to attorneys)e	
1-3-69	Submission By Plaintiff of Form of Notice to Class Members, filed. js	
1-13-69	Amendment to complaint of Geo. H. McFadden & Bro., Incorporated, filed.m	
1-15-69	Defendant, Republic Supply Company's objection to proposed notice of pendency of class action and proposed form of notice, filed. b <i>mailed</i>	
1-17-69	Defendants Home-Stake Production Company and Robert S. Trippet's objection and exception to form of notice of pendency of class action, filed. m <i>mailed</i>	
2-3-69	Plaintiff's withdrawal of motion to create class action, filed. m	
2-3-69	Order withdrawing class action, filed. (FD-J)m	
2-3-69	Joint stipulation of dismissal with prejudice, filed. m	
2-3-69	Order of dismissal with prejudice, filed and entered. (FD-J)m	